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6 Attorneys for Defendants  
ROBIN P. ARKLEY, II, and CHERIE ARKLEY

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA,  
10 OAKLAND DIVISION

11 BANK OF AMERICA, N.A.,

12 Plaintiff,

13 vs.

14 ROBIN P. ARKLEY, II, a resident and citizen of  
California, in his individual capacity and in his  
15 capacity as co-trustee of The Robin P. Arkley, II and  
Cherie Arkley Family Trust dated November 2, 1995  
16 and restated and/or amended November 27, 2003,  
January 18, 2007 and September 26, 2007 (the  
17 "Family Trust") and co-trustee of The Robin and  
Cherie Arkley Revocable Algiers Bancorp Stock  
18 Trust date unknown (the "Algiers Trust"), and  
CHERIE ARKLEY, a resident and citizen of  
19 California, in her capacity as co-trustee of The  
Family Trust and her capacity as co-trustee of the  
20 Algiers Trust,

21 Defendants.

Case No. 4:10-cv-01373-PJH

**JOINT STIPULATION AND  
REQUEST TO AMEND BRIEFING  
SCHEDULE AND TO MOVE  
HEARING DATE FOR PLAINTIFF'S  
APPLICATION FOR WRIT OF  
ATTACHMENT, TEMPORARY  
PROTECTIVE ORDER, AND RIGHT  
TO ATTACH ORDER**

**[PROPOSED ORDER]**

Complaint. Filed: March 31, 2010  
Trial Date: None  
Judge Phyllis J. Hamilton

1 WHEREAS, Plaintiff Bank of America, N.A. ("Plaintiff") and Defendants Robin P.  
2 Arkley, II and Cherie Arkley (collectively "Defendants"), continue to make progress in their  
3 settlement discussions and expect to begin exchanging a draft settlement agreement this week;

4 WHEREAS, the following briefing schedule and case schedule are presently in effect:

- 5 • Defendants' time to oppose and to submit exemptions to Plaintiff's Application for  
6 Writ of Attachment, Temporary Protective Order, and Right to Attach Order: June 1, 2010
- 7 • Plaintiff's reply to response to Application for Writ of Attachment, Temporary  
8 Protective Order, and Right to Attach Order: June 8, 2010;
- 9 • Last day for Defendants to respond to Plaintiffs' complaint: June 24, 2010;
- 10 • Hearing on Plaintiff's Application for Writ of Attachment, Temporary Protective  
11 Order, and Right to Attach Order: June 30, 2010;
- 12 • Case Management Statement Due: July 22, 2010
- 13 • Case Management Conference: July 29, 2010.

14 NOW THEREFORE, the parties, by and through their undersigned counsel, hereby  
15 stipulate and request that the briefing schedule and case schedule be modified as follows:

- 16 • Defendants' time to oppose and to submit exemptions to Plaintiff's Application for  
17 Writ of Attachment, Temporary Protective Order, and Right to Attach Order be moved to **July 2,**  
18 **2010;**
- 19 • Plaintiff's time to reply to Defendants' response be moved to **July 12, 2010;**
- 20 • Last day for Defendants to respond to Plaintiff's Complaint be moved to **July 23,**  
21 **2010;**
- 22 • The hearing on Plaintiff's Application for Writ of Attachment, Temporary  
23 Protective Order, and Right to Attach Order be moved from June 30, 2010 to **July 28, 2010, at**  
24 **9:00 a.m.;**

1 The date for the Case Management Conference on **July 29, 2010** and the deadline for the  
2 Case Management statement, currently **July 22, 2010**, remain unchanged.

3 IT IS SO STIPULATED.

4  
5 DATED: May 26, 2010

REED SMITH LLP

6  
7 By /s/

8 *David A. Kochman*  
9 Mark Tamburri / *David A. Kochman*  
Attorneys for Plaintiff  
BANK OF AMERICA, N.A.

10 DATED: May 26, 2010

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

11  
12 By /s/

13 Patrick C. Doolittle  
14 Attorneys for Defendants  
ROBIN P. ARKLEY, II and CHERIE ARKLEY

15  
16 PURSUANT TO STIPULATION, IT IS SO ORDERED

17  
18 DATED: 6/1/10

